

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MISSOURI  
ST. JOSEPH DIVISION

United States of America, )  
                            Plaintiff,     )  
vs.    ) Case No. 04-6021-01-CR-SJ-FJG  
Sean K. Owens,             )  
                            Defendant.    )

**ORDER**

Pending before the Court is the issue of defendant's competency. On August 16, 2005, Magistrate Judge Robert E. Larsen held a hearing regarding defendant's competency at which time the parties stipulated to a report submitted by Jason V. Dana, Psy.D. That report concluded that defendant does not appear to be suffering from any severe mental disease or defect warranting immediate psychiatric intervention, and that his ability to understand the legal proceedings and to properly assist his counsel does not appear to be noticeably impaired at this time.

Magistrate Judge Larsen issued a report and recommendation (Doc. #48), filed August 22, 2005, finding that defendant is competent to stand trial and assist in his defense. No objections to Magistrate Larsen's report and recommendation were filed.

The Court, after independent review of the record and applicable law, finds that defendant is not currently suffering from a mental disease or defect which would prevent him from understanding the nature and consequences of the proceedings against him or assisting in his own defense.

IT IS SO ORDERED.

/s/Fernando J. Gaitan, Jr.  
Judge Fernando J. Gaitan, Jr.  
United States District Judge

Dated: August 26, 2005  
Kansas City, Missouri